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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,929	12/03/2003	Chiyoko Matsumi	MTS-3580US	4475
52473	7590	05/22/2009		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER PYO, MONICA M	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 05/22/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/725,929	Applicant(s) MATSUMI ET AL.	
	Examiner MONICA M. PYO	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,6 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-6 and 8-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This communication is responsive to the Amendment filed 3/11/2009.
2. Claims 1, 3 and 5-6 and 8-20 are currently pending in this application. Claims 1 and 9-14 are independent claims. In the Amendment filed 3/11/2009, claims 1, 9-14 and 17 are amended. This action is made Final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5-6 and 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,282,362 issued to Murphy et al. (hereinafter Murphy) in view of U.S. Patent No. 7,061,982 issued to Ueda (hereinafter Ueda).

Regarding claims 1 and 12-20, Murphy discloses a recording and reproducing system, comprising:

- A). **a record medium for holding a plurality of data files**, as the IRD180 stores the digital object image data files (Murphy: col. 9, lns. 22-38);
- B). **a recording apparatus including a parameter extractor for extracting parameter information** (i.e., the playback unit 104 down-loads the image data, position data L_i , time T_i associated with index number N) **associated with each of the plurality of data files and**

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recording the parameter information in the record medium as a parameter information file, the parameter information file including a reproduction parameter for each of the plurality of data files, as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy: col. 9, lns. 39-col. 10, lns. 12 & 45-54); and

C). a reproducing apparatus including a data reproducer for reproducing one of the plurality of data files (Murphy: col. 10, lns. 45-54 - examples of visual image data or audio stream data) **by using the corresponding reproduction parameter in the parameter information file**, as the playback unit utilizing the position data L, the time T_i and the index number N (Murphy: col. 10, lns. 1-21).

Although Murphy does not explicitly disclose the feature of a data storage format of the parameter information file is such that all parameter information in the parameter information file associated with one type of data is stored sequential to all parameter information in the parameter information file associated with another type of data by using a classification according to a type of data, such a feature is well known in the art as disclosed in Ueda (Ueda: col. 10, lns. 14-25; col. 14, lns. 43-col. 15, lns. 10; figs. 7 and 21-22) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Ueda in the system of Murphy in view of improving the efficiency of the data recording and reproducing system.

Regarding claim 3, Murphy and Maruyama disclose the recording and reproducing system wherein the parameter information that is associated with each of the plurality of data

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files is stored in a predetermined location, the parameter extractor obtains the parameter information from the predetermined location (Murphy: col. 9, lns. 22-37; col. 16, lns. 40-52).

Regarding claim 5, Murphy and Maruyama disclose the recording and reproducing system wherein each of the plurality of data files is given a file ID corresponding to a sequential order in which the parameter information that is associated with each of the plurality of the data files is stored in the parameter information file (Murphy: col. 10, lns. 1-12 & 22-54) and (Ueda: col. 10, lns. 14-25; col. 14, lns. 43-col. 15, lns. 10; figs. 7 and 21-22).

Regarding claim 6, Murphy and Maruyama disclose the recording and reproducing system wherein the reproduction parameter for each of the plurality of data files is provided in the parameter information file by using the respective unique data file Id (Murphy: col. 10, lns. 1-12 & 22-54) and (Ueda: col. 10, lns. 14-25; col. 14, lns. 43-col. 15, lns. 10; figs. 7 and 21-22).

Regarding claims 9-11, Murphy and Ueda disclose a recording apparatus, comprising: **a parameter extractor for extracting parameter information (i.e., the playback unit 104 down-loads the image data, position data L_i , time T_i associated with index number N) associated with each of a plurality of data files** (Murphy col. 10, lns. 45-54 - examples of visual image data or audio stream data) **held in a record medium and recording the parameter information in the record medium as a parameter information file, the parameter information file including a reproduction parameter for each of the plurality of data files**, as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy:

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col. 9, lns. 39-col. 10, lns. 12 & 45-54), wherein one of the plurality of data files is **reproduced by using the corresponding reproduction parameter in the parameter information file**, as the playback unit utilizing the position data L, the time Ti and the index number N (Murphy: col. 10, lns. 1-21).

Although Murphy does not explicitly disclose the feature of a data storage format of the parameter information file is such that all parameter information in the parameter information file associated with one type of data is stored sequential to all parameter information in the parameter information file associated with another type of data by using a classification according to a type of data, such a feature is well known in the art as disclosed in Ueda (Ueda: col. 10, lns. 14-25; col. 14, lns. 43-col. 15, lns. 10; figs. 7 and 21-22) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Ueda in the system of Murphy in view of improving the efficiency of the data recording and reproducing system.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Ueda as applied to claims 1, 3, 5-6 and 9-20 above, further in view of U.S. Patent Application Publication No. 20030012549 by Ohnuma (hereinafter Ohnuma).

Regarding claim 8, Murphy and Ueda disclose the recording and reproducing system wherein the parameter extractor extracts it's information associated with each of the plurality of data files and records the meta-data information in the record medium as an information file (Murphy: col. 9, lns. 22-38 and 45-67; col. 10, lns. 22-54).

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Although Murphy and Ueda do not explicitly disclose the information being a meta-data information, such a feature is well known in the art as disclosed in Ohnuma (Ohnuma: pg. 3, [0048-0049]; pg. 5, [0090]) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Ohnuma in the systems of Murphy and Ueda in view of improving the efficiency of the data recording and reproducing system.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3 and 5-6 and 8-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192.

The examiner can normally be reached on Mon. – Fri. 7:30 – 1:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

05/2009

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161